



DEPARTMENT OF THE ARMY  
HEADQUARTERS, 19TH THEATER SUPPORT COMMAND  
UNIT #15015  
APO AP 96218-5015

REPLY TO  
ATTENTION OF:

EANC-JA

29 DEC 2004

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Command Policy Letter # 36- Commander's Inquiries and AR 15-6 Investigations

1. REFERENCES.

- a. AR 15-6, Procedures for Investigating Officers and Boards of Officers, 11 May 88.
- b. Manual for Courts-Martial, United States, 2002 Edition (MCM).

2. APPLICABILITY. This policy applies to all 19<sup>th</sup> TSC units in Korea and CONUS.

3. GENERAL POLICY. Policy on Commander's Inquiries and AR 15-6 Investigations in the 19<sup>th</sup> TSC.

a. The MCM, Rule for Courts-Martial 303 directs commanders to make a preliminary inquiry into charges or suspected offenses when an allegation regarding UCMJ misconduct is made. Normally, suspected UCMJ offenses should be handled by a "commander's inquiry," not an AR 15-6 investigation. Such commander's inquiries are usually informal and typically result in "findings" and "recommendations". Commanders may make the inquiry personally or direct members of their command to do so. When a case is more complex or involves a serious offense, law enforcement personnel (US Army Criminal Investigation Command or the local Provost Marshal's Military Police Investigations Division) should be asked to assist or conduct the investigation. There is little difference in the results of a good commander's inquiry and a good informal 15-6 investigation, but there are substantially more procedural hurdles in the latter.

b. AR 15-6 establishes procedures for investigations and boards when no other regulation or directive authorizes in investigation. The most successful AR 15-6 investigations start with well-crafted appointment order that provides direction and guidance on the matters the appointing authority wants investigated. Seek assistance of your local legal office to craft a good appointment order for all informal investigations. Ensure that your appointment letter reinforces my directive, that the investigating officer will receive a legal briefing before commencing his or her duties and a legal review of the findings and recommendations before they are submitted to the appointing authority.

c. The standard AR 15-6 investigation in the 19<sup>th</sup> TSC will use informal procedures. I withhold to myself, the Deputy Commanding General, or a duly appointed Acting Commander,

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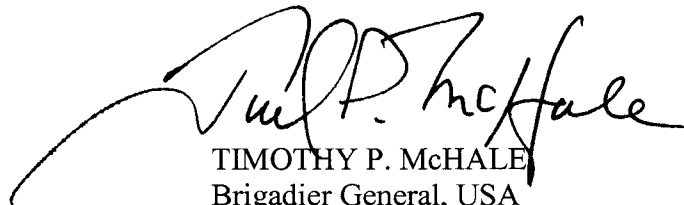
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19<sup>th</sup> TSC, authority to authorize or appoint formal investigation boards under AR 15-6. Formal procedures under AR 15-6 are almost never required or appropriate. If you think you need to appoint a formal AR 15-6 investigation, consult with the 19<sup>th</sup> TSC SJA.

d. The Inspector General, 19<sup>th</sup> TSC will be the depository and custodian for all completed AR 15-6 investigations arising in the 19<sup>th</sup> TSC HQs and its subordinate units. Major Subordinate Commanders will appoint a custodian and maintain the original of all AR 15-6 investigations completed within their commands and make this an area of interest in command inspections and evaluations. A copy of the investigation, complete with a notation or record of command action, will be forwarded to the 19<sup>th</sup> TSC IG.

4. SUPERSESSION. This policy memo supersedes 19<sup>th</sup> TSC Command Policy Letter #36, 27 Nov 02.

5. The point of contact is the 19<sup>th</sup> TSC Staff Judge Advocate, DSN 768-7026.



TIMOTHY P. McHALE  
Brigadier General, USA  
Commanding

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